

## UNITED STATES DISTRICT COURT

for the  
Eastern District of WisconsinIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)A United States Postal Service (U.S.P.S.) Priority Mail  
Express parcel with tracking number EJ001982628US

Case No. 20-M-707

## APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

A United States Postal Service (U.S.P.S.) Priority Mail Express parcel with tracking number EJ001982628US

located in the Eastern District of Wisconsin, there is now concealed (identify the person or describe the property to be seized):

Please see attached affidavit, which is hereby incorporated by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section  
Title 21, United States Code,  
Sections 841(a)(1) and 843(b).

Offense Description

The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

*[Signature]* 9:49AM  
Applicant's signature  
MAT SCHMITZ, U.S. Postal Inspector  
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
telephone (specify reliable electronic means).

Date: 08-13-2020

City and state: Green Bay, WI

*[Signature]*  
Judge's signature  
James R. Pickel, U.S. Magistrate Judge  
Printed name and title

## AFFIDAVIT

Matt Schmitz, United States Postal Inspector, being duly sworn, states the following information was developed from his personal knowledge and from information furnished to him by other law enforcement agents and professional contacts:

### I. INTRODUCTION

1. I have been employed by the United States Postal Inspection Service for approximately 16 years and was previously employed as a Police Officer with the City of Middleton (WI) and City of Janesville (WI) Police Departments for a total of six years. As part of my duties as a Postal Inspector, I investigate the use of the U. S. Mails to illegally send and receive controlled substances and drug trafficking instrumentalities. I have participated in investigations which have resulted in the arrest of individuals who have received and distributed controlled substances using the U.S. Mail, as well as the seizure of the illegal drugs and proceeds from the sale of those illegal drugs. My training and experience includes identifying packages with characteristics indicative of criminal activity, namely, the distribution of controlled substances.

### II. PARCEL TO BE SEARCHED

2. This affidavit is submitted in support of an application for a search warrant for a 14 inch by 12 inch by 8.5 inch United States Postal Service (U.S.P.S.) Priority Mail Express parcel with tracking number EJ001982628US, mailed on August 6, 2020, from Alhambra, CA zip code 91803. This parcel bears handwritten addressee and return address information. The parcel is addressed to "1960 Evans Apt #1, Roger Coney, Oshkosh, WI 54901" and bears a return address of "1960 Evans Apt #1, Antonio Shaw, Oshkosh, WI 54901." The parcel weighs approximately 4 pounds, 7 ounces, exhibits postage in the amount of \$69.50, and is hereinafter referred to as the SUBJECT PARCEL.

### III. INVESTIGATION

3. On August 7, 2020, I queried USPS records for information on Priority Mail Express parcels that were destined for delivery to addresses in Oshkosh, WI. Part of my duties as a Postal Inspector include the review of mailing records to identify parcels that may be associated with controlled substance trafficking. These reviews are often

conducted independent of any specific information identifying a particular address or person as being suspected of receiving controlled substances or sending controlled substances or the proceeds related to the distribution of controlled substances. Rather, through training and investigative experience I have learned that parcels containing controlled substances, controlled substance paraphernalia, or proceeds related to the sale of controlled substances generally exhibit characteristics that could include:

- a. The article is contained in a box, flat cardboard mailer, or Tyvek envelope;
- b. The article bears a handwritten label;
- c. The handwritten label on the article does not contain a business account number; and
- d. The article originated from an area that, based on past experience is a known origination point for controlled substances and is destined for an area that, based on past experience, is a known destination point for controlled substances in the mail; or the reverse: the article originated from an area that, based on past experience, is a known origination point for proceeds from the sale of controlled substances, and is destined for an area that, based on past experience, is a known destination point for controlled substance proceeds.

During this review I located three Priority Mail Express parcels that were all mailed on August 7, 2020, from Alhambra, CA zip code 91803, weighed approximately 4 pounds, 7 ounces, and were destined for delivery to three different addresses in Oshkosh, WI, 1008 Wright St, 808 Central, and 1960 Evans Apt 1. I directed the Oshkosh Post Office to contact me when these parcels arrived.

4. On August 8, 2020, I received information from the Oshkosh, WI Post Office that the three parcels identified above in paragraph 3 had arrived for delivery. The Oshkosh Post Office reported two of the three parcels appeared to exhibit the same handwriting on the shipping label while the handwriting on the third appeared to differ from the others. I have learned from my training and investigative experience that individuals mailing controlled substances may send multiple parcels to more than one address in a particular destination city. Further, the handwriting on the shipping labels of these parcels may differ because different individuals may have been employed by the source of the controlled substances to ship the parcels. Based upon this information



I directed the Oshkosh Post Office to hold the parcels until I could arrive for further investigation. On August 10, 2020, I arrived at the Oshkosh Post Office and saw the three Priority Mail Express parcels mailed from CA to 1008 Wright St, 808 Central, and 1960 Evans Apt 1 exhibited tracking numbers EE460061847US, EJ001982614US, and EJ001982628US (SUBJECT PARCEL), respectively. Specifically, I saw the SUBJECT PARCEL was addressed to "1960 Evans Apt #1, Roger Coney, Oshkosh, WI 54901" and bore a return address of "1960 Evans Apt #1, Antonio Shaw, Oshkosh, WI 54901." I saw the return address listed on all three parcels was the same as the delivery address. I have learned through my training and investigative experience that individuals mailing controlled substances may use a fictitious return address and/or sender name to avoid identification as the mailer or source of controlled substances.

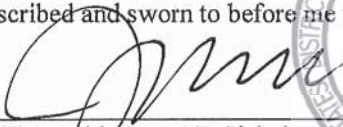
5. On August 10, 2020, I contacted Wisconsin State Trooper and K-9 Officer Dillon Larson who agreed to assist in presenting the SUBJECT PARCEL to a dog sniff. Trooper Larson is a trained handler of a certified drug detection dog named "Nora." Trooper Larson explained that Nora is trained in detecting the presence of marijuana, cocaine, heroin, and methamphetamine, and is currently certified in detecting controlled substances. Consistent with Trooper Larson's training, experience, and direction, I placed the SUBJECT PARCEL along a concrete wall outside the Oneida, WI Post Office. Nora examined the area and Trooper Larson said Nora alerted to the odor of controlled substances in a parcel that was lying next to a concrete wall. I identified the parcel Trooper Larson was referring to as the SUBJECT PARCEL. Following the dog sniff I retained custody of the SUBJECT PARCEL and currently have it secured at the U.S. Postal Inspection Service office in Oneida, WI, in the Eastern District of Wisconsin.
6. Postal Regulation Sec. 274.31 of the United States Postal Service Administrative Support Manual states that no one may detain mail sealed against inspection, except under the following condition: A Postal Inspector acting diligently and without avoidable delay, upon reasonable suspicion, for a brief period of time, to assemble evidence sufficient to satisfy the probable cause requirement for a search warrant issued by a Federal Court.

7. For these reasons, there is probable cause to believe the SUBJECT PARCEL contains controlled substances, controlled substance paraphernalia, and/or proceeds or payment related to the distribution of controlled substances. I am seeking the issuance of a warrant to search the SUBJECT PARCEL, and the contents contained therein, for contraband and evidence of a crime, namely, possession and possession with the intent to distribute controlled substances, and use of the mails to commit a controlled substance felony, in violation of Title 21, United States Code, Sections 841(a)(1), and 843(b).

 9:49 AM

Matt Schmitz  
U.S. Postal Inspector

Subscribed and sworn to before me this 13<sup>th</sup> day of August, 2020.

  
The Honorable James R Sickel  
United States Magistrate Judge  
Eastern District of Wisconsin

